IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.27404-M of 2007

Date of Decision: 01.05.2007

Zahida Khatoon @ Rajvinder Kaur

.....Petitioner

Versus

State of Haryana and others.

.....Respondents

Present:- Mr. Narender Hooda, Advocate,
for the petitioner.

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S.S.SARON,J.(ORAL)

The petitioner by way of the present petition filed under Section 482 Cr.P.C. seeks issuance of directions to respondents No.1, 2 and 3 to protect her life and liberty and that of her husband from respondents No. 4 and 5 who are her father and relative respectively.

The petitioner before her marriage was residing at village Tiwana, Tehsil Dera Bassi, District Mohali. She developed intimacy with Mohd. Shabbir alias Sukhwinder Singh, resident of Saddopur, District Ambala (Haryana). The petitioner who was student of B.A. Final year had strained relations with her parents as they wanted to marry her forcibly and against her wishes with a person of their choice. During her studies when she refused to marry, it is alleged that she was mercilessly beaten by her father (respondent No.4) on 10.01.2007. She was compelled to live in confinement by her parents. The petitioner having intimacy with Mohd. Shabbir @ Sukhwinder Singh was not only disillusioned with her parents but with her religion also. Therefore, according to her wishes, the petitioner along with Sukhwinder Singh decided to embrace Islam after taking all its principles as true. They adopted Islam as their religion with their free will and consent. A Certificate dated 28.04.2007 (Annexure P-2)

in this respect has been placed on record. After accepting Islam, the petitioner and Mohd. Shabbir @ Sukhwinder Singh got married by performing Nikah on 28.04.2007. The petitioner telephonically informed her parents at Mohali about her marriage. On 29.04.2007, the moment the petitioner reached her parental house along with her husband , her father (respondent No.4) and her relative (Respondent No.5) were sitting armed with some unidentified persons whose intentions did not seem good. The petitioner and her husband are stated to have been hurled with abuses as she had married against their wishes and that too after converting to Islam. The petitioner and her husband were given beatings. However, the other family members intervened and saved them. They somehow rushed to the car parked outside the house and went away to Ambala saving their lives. On 30.04.2007 father (Respondent No.4) of the petitioner and her relative (Respondent No.5) came to village Kakru, Tehsil Ambala, District Ambala to know about the whereabouts of the petitioner and her husband. They were accompanied with S.H.O., Police Station Lalru who was also asking about the whereabouts of the petitioner and her husband. They in order to save themselves went in hiding in their neighbourhood. The petitioner , therefore, apprehends threat and danger to her life as also that of her husband from respondents no.4 and 5 for which she seeks protection.

After hearing learned counsel for the petitioner and perusing the record, it is appropriate to note that with regard to the grievances and allegations as have been made in the present petition, the petitioner has not approached Superintendent of Police, Ambala (Respondent No.1), Senior Superintendent of Police, Mohali (Respondent No.2) or Station House Officer, Lalru, Distt. Mohali (Respondent No.3). The said police Officers/officials are better placed to know the ground reality for which the petitioner seeks relief . Therefore, it would be more appropriate, if the

petitioner in the first instance approaches Respondents No.1 to 3 setting out her grievances as have been made in the present petition.

Accordingly, Criminal Misc. petition is disposed of with the direction that in case the petitioner approaches Respondents No.1, 2 and 3 setting out her grievances as have been made in the present petition, the same would be duly looked into by them independently and in accordance with law.

May 1, 2007 **(S.S.SARON)**
nt **JUDGE**